

In accordance with Fed. R. Bankr. P. 8009(a)(2), Appellee BlockFi, Inc. (“Appellee”) respectfully submits the following counter-designation of additional items to be included on the record on appeal. Appellant John W. Van Tubergen Jr. (“Appellant”) appeals from (i) the May 16, 2024 Order of the U.S. Bankruptcy Court for the District of New Jersey (Hon. Michael B. Kaplan, U.S.B.J.) [ECF No. 2305] denying Van Tubergen’s Motion for Reconsideration; and (ii) the February 8, 2024 Order of the U.S. Bankruptcy Court for the District of New Jersey (Hon. Michael B. Kaplan, U.S.B.J.) [ECF No. 2122] granting the Wind-Down Debtors’ Seventh Omnibus Objection to Claim No. 7233 filed by John W. Van Tubergen Jr., which has been docketed as *Van Tubergen et al. v. BlockFi, Inc.*, No. 3:24-cv-06404-ZNQ, in the U.S. District Court for the District of New Jersey [ECF No. 2318].

On June 4, 2024, Appellant filed his *Statement of Issues on Appeal and Designation of Items to be Included in the Record on Appeal* [ECF No. 2330].

**DESIGNATION OF ADDITIONAL ITEMS
TO BE INCLUDED IN RECORD ON APPEAL**

Appellee cross-designates the following items to be included in the record on appeal, including the relevant transcripts that have already been ordered and filed on the record of the Bankruptcy Court, as noted below:

ECF No.	Filing Date	Description
17	11/28/22	Declaration Of Mark A. Renzi In Support Of Debtors’ Chapter 11 Petitions And First-Day Motions
609	3/13/23	Order Granting Debtors’ Motion For Entry Of An Order (A) Approving The (I) Omnibus Claims Objection Procedures And Form Of Notice, (II) Omnibus Substantive Claims Objections, And (III) Satisfaction Procedures And Form Of Notice, (B) Waiving Bankruptcy Rule 3007(E), And (C) Granting Related Relief
1306	8/2/23	Order (I) Conditionally Approving The Adequacy Of The Disclosure Statement, (II) Approving The Solicitation And Notice Procedures, (III) Approving The Forms Of Ballots And Notices In Connection Therewith, And (IV) Scheduling Certain Dates With Respect Thereto

ECF No.	Filing Date	Description
1309	8/3/23	Third Amended Joint Chapter 11 Plan Of BlockFi Inc. And Its Debtor Affiliates Pursuant To Chapter 11 Of The Bankruptcy Code
1310	8/3/23	Disclosure Statement Relating to the Third Amended Joint Chapter 11 Plan Of BlockFi Inc. And Its Debtor Affiliates Pursuant To Chapter 11 Of The Bankruptcy Code
1333	8/9/23	Proof Of Publication
1448	9/5/23	Affidavit of Service
1573	9/22/23	Affidavit Of Service Of Solicitation Materials
1607	9/25/23	Declaration Of James Daloia Of Kroll Restructuring Administration LLC Regarding The Solicitation And Tabulation Of Votes On The Third Amended Joint Chapter 11 Plan Of BlockFi Inc. And Its Debtor Affiliates Pursuant To Chapter 11 Of The Bankruptcy Code
1609	9/25/23	Notice Of Filing Of Additional Technical Modifications To Third Amended Joint Chapter 11 Plan Of BlockFi Inc. And Its Debtor Affiliates Pursuant to Chapter 11 Of The Bankruptcy Code
1621	9/28/23	Transcript Of Hearing Held 9/26/23
1660	10/3/23	Revised Finding Of Fact, Conclusions Of Law, And Order (I) Approving The Disclosure Statement Relating To The Third Amended Joint Chapter 11 Plan Of BlockFi Inc. And Its Debtor Affiliates Pursuant To Chapter 11 Of The Bankruptcy Code On A Final Basis And (II) Confirming The Third Amended Joint Chapter 11 Plan Of BlockFi Inc. And Its Debtor Affiliates Pursuant To Chapter 11 Of The Bankruptcy Code (Additional Technical Modifications)
1788	10/24/23	Notice Of (I) Entry Of The Order (A) Approving The Disclosure Statement On A Final Basis And (B) Confirming The Third Amended Joint Chapter 11 Plan Of BlockFi Inc. And Its Debtor Affiliates Pursuant To Chapter 11 Of The Bankruptcy Code (Additional Technical Modifications) And (II) Occurrence Of The Effective Date
1829	11/2/23	Withdrawal of Wind-Down Debtors' Motion to Quash Subpoena
1978	12/15/23	Affidavit of Service
2246	4/18/24	Status Change Form
2247	4/18/24	Wind-Down Debtors' Response to Claimant John W. Van Tubergen Jr.'s Memorandum of Law in Support of Motion Pursuant to Fed. R. Bankr. P. 3008, 8002(b), 8007(a), 9023 and 9024 to (A) Alter and Amend the Decision and Order Sustaining the Wind-Down Debtors' Objection to Claim No. 7233; and (B) Alternatively, Seek Other Relief From Such Order
2282	4/29/24	Affidavit of Service

RESERVATION

Appellee reserves the right to amend, modify, and/or supplement the foregoing Counter-Designation.

Dated: June 18, 2024

Respectfully submitted,

GENOVA BURNS LLC

By: /s/ Daniel M. Stolz

Daniel M. Stolz, Esq.
Donald W. Clarke, Esq.
Lawrence Bluestone, Esq.
110 Allen Rd., Suite 304
Basking Ridge, NJ 07920
(973) 230-2095
DStolz@genovaburns.com
DClarke@genovaburns.com
LBluestone@genovaburns.com

HAYNES AND BOONE, LLP

Richard S. Kanowitz, Esq.
Lauren M. Sisson, Esq.
30 Rockefeller Plaza, 26th Floor
New York, New York 10112
(212) 659-7300
richard.kanowitz@haynesboone.com
lauren.sisson@haynesboone.com